

## 1 HOUSE BILL NO. 86

2 INTRODUCED BY D. SANDS

3 BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING FUNDS FOR THE DEVELOPMENT OF A PILOT  
6 PROJECT FOR THE EXCHANGE OF ELECTRONIC HEALTH CARE RECORDS; PROVIDING FOR A REPORT  
7 ON THE PROJECT; AND PROVIDING AN EFFECTIVE DATE."8  
9 WHEREAS, electronic management of patient health care records may give health care providers an  
10 important tool in treating patients and managing their medical conditions; and11 WHEREAS, the U.S. Department of Health and Human Services has accepted uniform standards for  
12 what is known as a continuity of care record, which allows health care providers to share information about  
13 patients and the care they have received; and14 WHEREAS, the exchange of this type of health care information could eliminate unnecessary tests,  
15 resulting in reduced costs not only for patients but also for the health care system as a whole; and16 WHEREAS, continuity of care records may help physicians better manage the medical conditions of  
17 individual patients and also monitor how well they are managing the care for patients with similar medical  
18 conditions; and19 WHEREAS, health information technology has the potential to not only improve overall health outcomes  
20 for Montana residents but also improve the ways in which health care is delivered.21  
22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:23  
24 NEW SECTION. Section 1. Appropriation. (1) There is appropriated \$1.5 million from the general fund  
25 to the department of public health and human services for the biennium beginning July 1, 2009. The department  
26 shall grant the funds to a Montana-based nonprofit entity for a health care information exchange pilot project that:27 (a) bases its health care information exchange design on the nationally accepted content and technical  
28 standards developed for the continuity of care record; and

29 (b) includes in its health care information exchange design:

30 (i) features that create the ability to improve the management of chronic illnesses; and

1 (ii) provisions that will protect patient privacy and record security.

2 (2) In granting the funds, the department shall seek a nonprofit entity that:

3 (a) is governed by a board of directors made up of members who provide a good geographic and  
4 demographic representation of the state and who represent the constituents interested in health care information  
5 technology, including but not limited to physicians, health care facilities, insurers, telemedicine providers, and  
6 government agencies;

7 (b) has developed a mission statement and articles of incorporation that are specifically focused on the  
8 exchange of health care information;

9 (c) has obtained contributions from private companies as part of its plan for developing a Montana health  
10 care information exchange pilot project;

11 (d) has developed a plan for long-term sustainability using private funds; and

12 (e) is prepared to quickly implement a health care information exchange pilot project.

13 (3) If the nonprofit entity obtains federal funds to support the electronic health care information exchange  
14 pilot project, the amount of the state appropriation must be reduced by the amount of the federal funds.

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16 **NEW SECTION. Section 2. Reporting requirement.** The nonprofit entity selected to receive the funds  
17 shall report to the children, families, health, and human services interim committee during the 2009-10 interim  
18 on how the funds were used, including but not limited to the number of participants in the health care information  
19 exchange pilot project and how the participants used the health care information exchange system to improve  
20 patient care.

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22 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2009.

23 - END -

**From:** Grace Bowman (gdb1951@yahoo.com)  
**To:** tkh@tkhenry.com  
**Date:** Monday, January 26, 2009 6:44:21 PM  
**Subject:** Joint Subcommittee - Human Services

*Sec. Donna Small*

Dear Representative Teresa Henry:

I am not able to be in Helena for the January 27th Home-based and Waiver Services Committee Hearing, so I ask that you consider this letter my testimony.

**I encourage you to support the recommendation (New Proposal 22223) of the DPHHS and the Governor. Their recommendation to expand Home & Community Based Services by funding 178 new Medicaid Waiver slots is desperately needed, and this expenditure receives matching federal funds.**

Medicaid funded Home and Community Based Services (HCBS) is a way for low-income who need nursing quality level of care to remain in their homes. Seniors prefer to remain at home, and it saves the tax-payer money. Home based services can be provided for three people for the cost of one in a nursing facility; this is a win-win for everyone.

Montana now has over 400 people on the waiting list for a Medicaid Waiver Slot. We need your help to assure that quality long term services are available to all Montanans.

**DPHHS and the Governor also recommend using \$330,000 to improve counseling and access to these services.**

Before retiring, I served as the Director of the Billings Chapter Prevention of Elder Abuse for 12 years. I know that it takes a big heart, lots of patience and special training to properly Care for the elderly and people with disabilities. We must pass legislation that will provide additional Waiver slots, help retain caregivers now employed and provide incentives that will attract quality workers to care for our most vulnerable citizens.

The decision you make will determine the quality of life for people who depend upon us to protect them. Thank you for taking the time to read my testimony.

Grace D. Bowman  
Billings, MT